

This matter came before the New Jersey State Board of Physical Therapy Examiners (hereinafter referred to as the "Board") upon the Board's random audit of licensed physical therapists and physical therapist assistants pursuant to N.J.A.C. 13:39A-9.4(d) who submitted license renewal applications to engage in the practice of physical therapy for the 2008-2010

biennial renewal period. The renewal applications submitted by licensed physical therapists and physical therapist assistants included an acknowledgment regarding whether or not the licensees had completed thirty (30) continuing education credits during the period from February 1, 2006 through January 31, 2008 as required for the 2008-2010 biennial license renewal period pursuant to N.J.S.A. 45:9-37.18(a)10 and N.J.A.C. 13:39A-9.1 et. seq.

The information supplied by Wendy Lucas, P.T. (hereinafter referred to as the "Respondent") in correspondence dated May 27, 2008 in response to the Board's audit is that she has completed thirty-two (32) Board pre-approved credits. Upon a review of the submissions, the Board found that Respondent had submitted twelve (12) Board pre-approved credits. The Board found that the course sponsored by Neuro-IFRAH Org @ Magee Riverfront entitled "Assessment & Management of Functional Gait Walking for Life" taken for fourteen (14) continuing education credits and the course sponsored by Bioness entitled "Bioness L300" taken for six (6) continuing education credits were not pre-approved by the Board. For courses not pre-approved by the Board, a course outline and curriculum vitae for each lecturer must be provided to obtain credit pursuant to N.J.A.C. 13:39 A-9.3 (g) and N.J.A.C. 13:39 A-9.6 (a) upon audit.

Based upon all the available information reviewed, the Board has found that the Respondent has completed twelve (12) of

the required continuing education credits. The Respondent's conduct in failing to obtain thirty (30) continuing education credits in the period from February 1, 2006 through January 31, 2008 establishes a basis for disciplinary action as the Respondent did not meet the requirements for renewal of her license to practice as a physical therapist as she failed to obtain the requisite thirty (30) continuing education credits within the two years preceding the renewal period as required by N.J.S.A. 45:9-37.34(d) and N.J.A.C. 13:39A-9.1 et. seq.

On January 14, 2010 the Respondent submitted certifications that she had completed the eighteen outstanding continuing education credits. The respondent also submitted information concerning her financial and medical hardships. Accordingly, the Board has agreed to reduce the penalty from \$500 to \$100.00.

It appearing that the Respondent desires to resolve this matter without further proceedings and waiving any right to a hearing, and the Respondent acknowledging and not contesting the findings of fact and conclusion of law made by the Board; and the Board having been satisfied that the within resolution adequately protects the public health, safety and welfare; and for good cause shown:

ACCORDINGLY, IT IS ON THIS ^{23rd} DAY OF *March*, 2010

ORDERED that:

1. The Respondent's license to practice as a physical therapist, renewed on February 1, 2008 and in active status, will remain active on the condition that the Respondent submits documentation that she has satisfactorily completed an additional eighteen (18) continuing education credits as required by N.J.S.A. 45:9-37.34(d) and N.J.A.C. 13:39A-9.1 et. seq. within sixty days (60) of the filing date of this order. Respondent may submit satisfactory proof of completion of continuing education courses relating to physical therapy which were not pre-approved by the Board for credit if the continuing education courses met the requirements of N.J.A.C. 13:39A-9.3(a) and the provider meets the requirements of N.J.A.C. 13:39A-9.6. Failure to comply with this condition within the stated time period will result in the automatic and immediate suspension of the Respondent's license to practice physical therapy in New Jersey without further order until such time as Respondent submits satisfactory proof of completion of all required credits.

2. On January 14, 2010 the Board received documentation which supported successful completion of the outstanding 18 continuing education credits between October and November 2009.

3. The eighteen (18) continuing education credits taken as part of this action shall not qualify to fulfill the mandatory continuing education requirements for the 2010-2012 renewal period pursuant to N.J.A.C. 13:39A-9.2(d).

4. Respondent is cautioned in the future to obtain the requisite continuing education courses within the preceding renewal period as required by N.J.S.A. 45:9-37.34(d) and N.J.A.C. 13:39A-9.1 et. seq. and to carefully complete all renewal applications

5. Respondent is hereby assessed a civil penalty in the amount of **\$100.00** for her failure to obtain the thirty (30) continuing education credits within the preceding biennial licensure renewal period.


5. Payment shall be made by certified check or money order immediately upon accepting and signing of this Consent Order and sent to the attention of Lisa Affinito, to the Board of Physical Therapy Examiners, P.O. Box 42014, Newark, New Jersey 07101.

6. Failure on the part of the Respondent to pay the civil penalty timely or to comply with any of the terms of this Consent Order constitutes a violation of the Order, proof of which would constitute grounds for further disciplinary action by the Board.

NEW JERSEY STATE BOARD
OF PHYSICAL THERAPY EXAMINERS

By: Karen Wilk PT DPT 40QA00560100
Karen Wilk, P.T., D.P.T.
Chair

I have read and understand the within
Consent Order and agree to be bound
by its terms. Consent is hereby given
to the Board to enter this Order.



Wendy Lucas, P.T.

DATED: 3/02/10